

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JONATHAN SILVERMAN, an individual,

*Plaintiff,*

v.

PAYWARD, INC., a Delaware corporation;  
PAYWARD VENTURES, INC., a Delaware  
corporation; and INFINITUDE, LTD., a  
Delaware corporation,

*Defendants.*

Case No. 1:19-cv-02997-JSR

**NOTICE OF MOTION BY DEFENDANTS PAYWARD, INC., PAYWARD  
VENTURES, INC., AND INFINITUDE, LTD. TO DISMISS THE COMPLAINT**

**PLEASE TAKE NOTICE THAT**, upon the accompanying Declaration of Pamela Merkadeau, dated May 3, 2019, the accompanying Memorandum of Law, dated May 3, 2019, and all prior pleadings, papers and proceedings in this action, Defendants Payward, Inc., Payward Ventures, Inc. and Infinitude, Ltd. (hereinafter, “Defendants”), by their undersigned counsel, Pierce Bainbridge Beck Price & Hecht LLP, will move this Court, before the Honorable Jed S. Rakoff, of the United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, thereof, 500 Pearl Street, New York, New York, 10007, in Courtroom 14B, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedures dismissing all claims asserted against Defendants in the Complaint, with prejudice, for failure to state a claim, and granting such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that Defendants request oral argument in connection with this motion to dismiss.

Dated: May 3, 2019  
New York, New York

Respectfully submitted,

By: 

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*Attorney for Defendants Payward, Inc., Payward Ventures, Inc., Infinitude, LTD.*